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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|-----------------------|-----------------------------|------------------------|
| 09/893,910 | 06/29/2001 | Edward Michael Silver | BS00336 | 4940 |
| 38516 7590 02/29/2008 SCOTT P. ZIMMERMAN, PLLC PO BOX 3822 CARY, NC 27519 | | | | |
| | | | EXAMINER NGUYEN, QUYNH H | |
| | | | ART UNIT 2614 | PAPER NUMBER |
| | | | MAIL DATE 02/29/2008 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 09/893,910 | Applicant(s) SILVER ET AL. | |
| | Examiner Quynh H. Nguyen | Art Unit 2614 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE and amendment filed 6/29/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 11-16, 19, 21-26 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11-16, 19, 21-26 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is re-mailed due to previous office action mailed on 8/10/07 was returned to USPTO as undelivered.

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Applicant's RCE and amendment filed 6/29/07 has been entered. Claims 1-7, 11, 14-17, 19, and 21-25 have been amended. Claims 8-10, 17-18, 20, 27, and 29-36 have been cancelled. No claims have been added. Claims 1-7, 11-16, 19, 21-26, and 28 are still pending in this application, with claims 1, 11, and 21 being independent.

Claim Rejections - 35 USC § 103

3. Claims 1, 6-7, 11-14, 19, 21, 24-26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over submitted prior art Roberts et al. (U.S. Patent 6,295,551).

Regarding claims 1, 11, and 21, Roberts et al. teaches the steps of:

means for associating a calling party's telephone number with a network address of the source computer (col. 6, lines 2-5);

means for storing the associating (col. 15, lines 32-34);

means for detecting a triggering event (col. 7, lines);

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means for establishing a voice session between the calling party and a called party (col. 3, lines 18-22; col. 7, lines 45-49);

means for establishing a first data session between the calling party's device and the source computer (col. 3, lines 32-33), and

means for establishing a second data session between a called party's device and the source computer (col. 3, lines 33-34);

means for displaying contents of the source computer (Fig. 1; col. 7, lines 50-62).

Roberts et al. do not explicitly teach in response to the triggering event retrieving the network address from the memory.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the server 20 that utilizes the data information in association with the attributes of the user computer to also retrieve the network address from the memory in order to establish a voice session between the calling party and the called party.

Regarding claims 6 and 7, Roberts et al. teaches the telephone line is associated with one of a called party (Fig. 1, representative 24), a calling party (Fig. 1, user 12), and a third party.

Regarding claim 12, Roberts et al. teaches the network address is an Internet protocol address (col. 7, lines 5-10).

Regarding claim 13, Roberts et al. teaches the network address is a uniform resource locator (col. 4, lines 4-8; col. 6, lines 1-5).

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Regarding claim 14, Roberts et al. teaches the result of the associating step is stored in a database (col. 15, lines 21-34).

Regarding claims 19 and 28, Roberts et al. teaches the source computer is associated with an entity other than the party (col. Fig. 1, server 20).

Regarding claims 24-25, Roberts et al. teaches the visual communication between calling and called parties is married to audio communication between the calling and called computers (col. 5, lines 52-67), hence terminating the data session when the voice session ends.

Claim 26 is rejected for the same reasons as discussed above with respect to claims 12 and 13.

4. Claims 2-3, 15-16, 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over submitted prior art Roberts et al. (U.S. Patent 6,295,551) in view of Lund (U.S. Patent 5,978,806).

Regarding claims 2-3, Roberts et al. does not teach the triggering event is detected before/after a voice session is established between a calling party and a called party.

Lund teaches the triggering event is detected before a voice session is established between a calling party and a called party (col. 3, lines 16-26).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Lund into the teachings of Roberts

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for the purpose of having a more efficient system that trigger the system to set up prior establishing the voice communication session.

Regarding claims 15 and 16, Lund teaches the triggering event comprises a telephone number of a calling party, a dial string generated by the equipment (col. 3, lines 16-36).

Regarding claims 22 and 23, Lund teaches the equipment is adapted to collect digits dialed by the user (col. 3, lines 16-36).

5. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. (U.S. Patent 6,295,551) in view of Greenberg (U.S. Patent 6,791,974).

Regarding claim 4, Roberts et al. does not teach a termination of the voice session ends the data session. Greenberg teaches a termination of the voice session ends the data session (Fig. 8, 808 and 809; col. 9, line 48 through col. 10, line 8 - *where Greenberg discussed the user used the Internet based telephone system to access a computer, in turn negotiating a session with the Web server to establishing an IP telephony circuit between customer terminal devices, hence when the voice session ends, the data session will end*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Greenberg into the teachings of Roberts for the purpose of having a more efficient system by allowing users who are in a hurry can terminate just the voice session then the data session will end; and further saving computer system resource by terminating the data session, since the user used the Internet based telephone system to access a computer, in turn negotiating a session with the Web server to establishing an IP

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telephony circuit between customer terminal devices, therefore when the voice session ends, the data session will end.

Regarding claim 5, Roberts et al. does not explicitly teach the data session continues after the voice session is terminated. Greenberg teaches the data session continues after the voice session is terminated (col. 9, lines 12-47 - *where Greenberg discussed a user logs into the Web site of Web server 100A and selects a telephone number for call initiation, hence terminating of the voice session is not necessary terminating the data session*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of the data session continues after the voice session is terminated in Roberts's system thus making the system more efficient by allowing caller to continue viewing the data session after the conversation ended.

Response to Arguments

6. Applicant's arguments filed 6/29/07 have been fully considered but they are moot in view of new ground(s) of rejections. Applicant's arguments are addressed in the above claims rejections.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

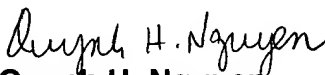
Davis et al. (U.S. Patent 5,365,577) teaches telecommunication display system.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Quynh H. Nguyen
Primary Examiner
Art Unit 2614